

Serial No.: 09/994,410
Response to Rejection: 8/14/03

PATENT
PU010272

REMARKS

35 U.S.C. 102(b)

Claims 1-4, 6-8, 10-15, 17-19, 21 and 22 stand rejected under 35 anticipated by Okada et al (6,181,870). Claims 1- 22 are canceled in this amendment. New claims 23 - 38 are presented. Claims 23, 31 and 32 are independent claims.

In view of scope of the subject matter Applicants believe is allowable, the currently amended title, namely, "METHOD AND APPARATUS FOR CREATING A PLAYLIST" is now provided herein.

Regarding canceled claims 1 and 12, the office action states, " Okada et al disclose a method and system of generating a customized video recording compilation, comprising the steps of:

presenting a menu which lists at least a portion of video segments recorded on a first storage medium (Fig 77A shows a menu that includes a directory with a plurality of files named "MovieX.VOB");

prompting a user to select at least one video segment from the menu (Fig. 77A, "Press one Key");

compiling each video segment selected by the user to create at least one compilation (Fig. 77B "Specify desired cell section to be partially reproduced between first original PGC and third original PGC"); and

inserting the compilation as a new item in the menu (Fig.85 shows "User DefinedPGC#1" as being ready to be added to the menu once it has been defined in the compilation step above).

Applicants newly presented claim 23 recites: " A method of creating a video program list comprising the steps of:

presenting a menu including a first program list of recorded programs;

Serial No.: 09/994,410
Response to Rejection: 8/14/03

PATENT
PU010272

prompting a user to identify at least one recorded program from said first program list to be included in a second program list;

creating said second program list, including the at least one identified program;

creating an identifier corresponding to said second program list;

including said identifier as a selectable item of said menu."

Preamble - Video program list

Applicant's independent claims 23, 30 and 31 now recite the term " video program list" in the preamble. Support for this term can be found in applicant's specification, figures 3 and 7. Both figures illustrate a "List of Recorded Programs" according to an embodiment of the invention. Accordingly, applicant uses the terms "compilation" and "compiling" as these terms would be understood by an ordinary viewer. WordNet ® 1.6, © 1997 Princeton University, defines compiling as "the act of compiling (as into a single book or file or list); e.g., "the job of compiling the inventory took several hours".

Applicant's specification clearly explains the context of the invention. That is, a consumer must perform a menu "access and selection step each time the consumer wants to watch [or record] another program [from a menu list]." The inventive solution is a method and system for video recording compilation. In other words, a method and system for creating a list comprising a viewer's selected [from a menu] programs (or partial programs). The list can subsequently be recorded, viewed, etc. by reference to the compilation as a whole. Thus the terms "list", "program list", "playlist", and "compilation" etc. can have the same meaning in the context of the claimed invention.

Serial No.: 09/994,410
Response to Rejection: 8/14/03

PATENT
PU010272

Similarly, applicant uses the term "program" as defined in Miriam-Webster Online Dictionary (<http://www.m-w.com>) to refer to " a performance (or series of performances).." Similarly, applicant uses the term "video segment" to refer generally to a recorded portion of a performance or series of performances. This definition is supported by applicant's specification (page 5 line 23) wherein applicant states the term video segment can be any portion of previously recorded video...not necessarily limited to an entire unit of programming such as a complete movie or television show."

First list of recorded programs

Applicant's independent claim 23 recites, in relevant part, a step of "...presenting a menu including a first list of recorded programs..." Likewise, applicant's claim 31 recites, in relevant part, a step of "displaying a menu including a plurality of recorded programs. Figure 3 illustrates an example of a list of recorded programs, wherein each item on the list refers to a performance (or a part of a performance). In the list shown, the performances are referred to by title. Thus, the listed programs on applicant's menu indicate to a user, the artistic, creative subject matter of a particular recorded performance. This is consistent with the definition of program as a performance.

In contrast, the items comprising the menu of Okada are not references to "programs" as recorded performances. Instead, they serve merely to identify specific directories and files stored on a storage medium. The example filename "movie2.vob" shown in Figure 77A is a convenient reference to a specific file containing data, not a reference to the subject matter or artistic content of a recorded performance.

User Prompt - Second list of recorded programs

Applicant's new independent claim 23 recites, among other steps, a step of, "...prompting a user to identify at least one

Serial No.: 09/994,410
Response to Rejection: 8/14/03

PATENT
PU010272

recorded program from said first list to be included in a second list of recorded programs..."

The office action states Okada discloses: "prompting a user to select at least one video segment from the menu (Fig. 77A, "Press one Key")."

However, the Okada menu of Figure 77A does not disclose a prompt for a user to select a recorded program to be included in a second list of recorded programs. The menu of Figure 77A does not provide a list of programs. Okada's specification, col 4 lines 47-55, describes Figure 77A as follows:

" FIG. 77A shows an example of graphics data that is displayed on the TV monitor 72 under the control of the recording-editing-reproduction control unit 12. When any of the directories has been set into the focus state, the recording-editing-reproduction control unit 12 waits for the user to press the enter key. When the user does so, the recording-editing-reproduction control unit 12 specifies the directory that is presently in the focus state as the current directory."

Thus it is clear Okada discloses, at most, providing a directory listing, prompting a user to set a directory into a focus state, and then to press "enter" to specify the directory that is presently in the focus state as the current directory.

Okada does not disclose or suggest prompting a user " to select a recorded program to be included in a second list of recorded programs".

Likewise, Okada's Figure 77B disclosure for a user to "Specify desired cell section to be partially reproduced between first original PGC and third original PGC" is not a disclosure of applicant's step of " prompting a user to identify at least one recorded program from said first list to be included in a second list." See Okada specification col 86 lines 30-65,

"This is described in more detail below. When, as shown in FIG. 77A, one of the directories is selected as the current directory and the user gives an indication for the reproduction of one of the titles stored in this

Serial No.: 09/994,410
 Response to Rejection: 8/14/03

PATENT
 PU010272

directory, the title reproduction control unit 23 displays the screen image shown in FIG. 77A, reads the original PGC information table and user-defined PGC information table in the RTRW management file in this directory, and has the user select the complete reproduction or partial reproduction of one of the original PGCs or user-defined PGCs in the current directory. FIG. 77B shows the PGCs and cells that are displayed as the list of potential operation targets. The sets of PGC information and cell information that represent those PGCs and cells are the same as those shown in the example of FIG. 76.

The original PGCs that appear in this interactive screen are shown in a simple graph that shows time in the horizontal axis, with each original PGC being displayed along with the date and time at which it was recorded. In FIG. 77B, the menu at the bottom right of the screen shows whether complete reproduction or partial reproduction is to be performed for the video title in the current directory. By pressing the "1" or "2" key on the remote controller 71, the user can select complete reproduction or partial reproduction of the video title. If the user selects complete reproduction, the title reproduction control unit 23 has the user select one of the PGCs as the operation target, while if the user selects partial reproduction, the title reproduction control unit 23 has the user select one of the cells as the operation target.

When complete reproduction has been selected for a PGC, the title reproduction control unit 23 extracts the cells from the PGC selected as the operation target and, by referring to a time map table such as that shown in FIG. 71, reproduces the sections indicated by the cells one by one. On completing the reproduction of the sections, the title reproduction control unit 23 has the interactive screen shown in FIG. 77B displayed and waits for the next selection of cell information.

Creating said second list

Likewise, Okada's Figure 77B disclosure for a user to "Specify desired cell section to be partially reproduced between first original PGC and third original PGC" is not a disclosure of applicant's claimed step of "creating said second program list, including the at least one identified program". Specifying a desired cell section, is not a disclosure of "creating a second program list". A PGC refers

Serial No.: 09/994,410
Response to Rejection: 8/14/03

PATENT
PU010272

to a Program Chain (col 4 lines 54 - 57). Okada defines
program chain (col 77 lines 29-40):

"The original PGC information table is composed of a plurality of sets of original PGC information. Each set of original PGC information is information that indicates either the VOBs that are stored in an AV file present in the RTRW directory or sections within these VOBs, in accordance with the order in which these are arranged in the AV file. Each set of original PGC information corresponds to one of the VOBs recorded in an AV file present in the RTRW directory, so that when an AV file is recorded in the RTRW directory, sets of original PGC information are generated by the video data editing apparatus and recorded in the RTRW management file."

creating an identifier corresponding to said second list;
Okada fails to disclosure or suggest this step.

Including said identifier

The office action states Okada discloses "inserting the compilation as a new item in the menu" (Fig.85 shows "User DefinedPGC#1" as being ready to be added to the menu once it has been defined in the compilation step above).

Applicant's new claim recites a step of: "creating an identifier corresponding to said second list [of programs] and including said identifier in said menu. Okada does not disclose inserting the identifier in a menu. Okada explains what happens to "UserDefinedPGCs":

If the user selects complete reproduction, the title reproduction control unit 23 has the user select one of the PGCs as the operation target, while if the user selects partial reproduction, the title reproduction control unit 23 has the user select one of the cells as the operation target. When complete reproduction has been selected for a PGC, the title reproduction control unit 23 extracts the cells from the PGC selected as the operation target and, by referring to a time map table such as that shown in FIG. 71, reproduces the sections indicated by the cells one by one. On completing the reproduction of the sections, the title reproduction control unit 23 has the interactive screen shown in FIG. 77B displayed and waits for the next selection of cell information.

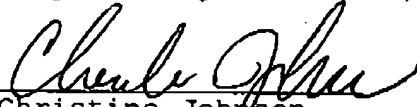
Serial No.: 09/994,410
Response to Rejection: 8/14/03

PATENT
PU010272

For all of the reasons cited above, Okada does not disclose or suggest the invention of applicant's new independent claims 31 and 32. Claims 24-29, and 32-39 are dependent on independent claims believed allowable. Therefore it is believed all of the claims as amended are in condition for allowance.

Respectfully submitted,

Date: February 17, 2004


Christine Johnson
Registration No. 38,507
609-734-6892

Patent Operations
Thomson Licensing, Inc.
P. O. Box 5312
Princeton, NJ 08543-5312